

House Bill 1493

By: Representatives Willard of the 49<sup>th</sup>, Lindsey of the 54<sup>th</sup>, Tumlin of the 38<sup>th</sup>, and Ralston of the 7<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 24 of the Official Code of Georgia Annotated, relating to evidence, so as to  
2 revise provisions relating to evidence; to provide for definitions; to provide an effective date;  
3 to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Title 24 of the Official Code of Georgia Annotated, relating to evidence, is amended by  
7 revising Code Section 24-1-1, relating to definitions, as follows:

8 "24-1-1.

9 As used in this title, the term:

10 (1) 'Competent evidence' means evidence which is admissible.

11 (2) 'Cumulative evidence' means evidence which is additional to other evidence already  
12 obtained.

13 (3) 'Direct evidence' means evidence which immediately points to the question at issue.

14 (4) 'Indirect evidence' or 'circumstantial evidence' means evidence which only tends to  
15 establish the issue by proof of various facts, sustaining by their consistency the  
16 hypothesis claimed.

17 (5) 'Preponderance of evidence' means that superior weight of evidence upon the issues  
18 involved, which, while not enough to free the mind wholly from a reasonable doubt, is  
19 yet sufficient to incline a reasonable and impartial mind to one side of the issue rather  
20 than to the other.

21 (6) 'Presumptive evidence' means evidence which consists of inferences drawn by human  
22 experience from the connection of cause and effect and from observations of human  
23 conduct.

24 (7) 'Sufficient evidence' means evidence which is satisfactory for the purpose."

2 This Act shall become effective on July 1, 2009.

4 All laws and parts of laws in conflict with this Act are repealed.